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- 7 -

REMARKS

Claims 1, 3-5, 7, 10-13, and 30-33 are pending in the application. Claims 2, 6, 8, 9, 14, 16, 17, 21, 22, 27 and 29 have been withdrawn from consideration. Claim 19 has been canceled without prejudice or disclaimer in view of the restriction requirement. Claims 18, 20, 23-26 and 28 are allowed, and claims 1, 3-5, 7, 10-13 and 30-33 are rejected. Claims 1 and 30 have been amended. Claims 34 and 35 have been added. Support for the amendments and new claims 34 and 35 can be found throughout the specification and the figures. No new matter has been added. Reconsideration and allowance of the claims are requested.

Applicants thank the Examiner for favorable consideration and allowance of claims 18, 20, 23-26 and 28.

Claim 1 is rejected under 35 USC 102(b) as being anticipated by Leveen (3,916,908). Claims 1, 3-5, 7, 10-13, and 30-33 are rejected under 35 USC 102(b) as being anticipated by Middleman et al (5,601,572). Applicants respectfully traverse the rejections.

Claim 1 has been amended to state that at least one of the arms of the pair of the arms has a tapered protrusion and at least one arm of the pair of arms has a blind tapered slot for fastening two adjacent tissue heart valve leaflets, wherein the arms pivot from one orientation to a gripping position with ends of respective paired arms being directed toward each other. Claim 1, as amended, is not anticipated by Leveen or by Middleman. Leveen relates to a bowel clamp which has clamp fastener guide 13 which protrudes through a locking slot 16. Fastener guide 13 is not a tapered protrusion, and locking slot 16 is not a tapered blind slot, as required by claim 1. Middleman relates to a device having arms 21, 23, but the arms do not have a tapered protrusion or a tapered blind slot, as in claim 1. All of the claim limitations of claim 1 are not met by either reference. Thus, claim 1 is not anticipated by Leveen or Middleman et al. Applicants respectfully request withdrawal of the rejection of claim 1 under 35 U.S.C. §102 (b) as being anticipated by Leveen. Applicants respectfully request withdrawal of the rejection of claims 1, 3-5, 7, and 10-13 under 35 U.S.C. §102 (b) as being anticipated by Middleman et al.

Claim 30 has been amended to state that the second arm has a plurality of spikes such that a tapered slot is formed between the plurality of spikes. This not shown in Middleman.

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- 8 -

Middleman does not teach every element of claim 30. Thus, claim 30, and dependent claims 31-33, are not anticipated by Middleman. Withdrawal of the rejection to claims 30-33 is requested.

In view of the reasons provided above, it is believed that all pending claims are in condition for allowance. Applicants respectfully request favorable reconsideration and early allowance of all pending claims.

No additional claim fee should be required.

If a telephone conference would be helpful in resolving any issues concerning this communication, please contact Applicants' attorney of record, Hallie A. Finucane at (612) 334-3222.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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